

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE DISTRICT OF MARYLAND
3 (Northern Division)
4

5 MELVIN NEWSOME, et al.,)
6 Plaintiffs,)
7 vs.) Civil Action
8 UP-TO-DATE LAUNDRY, INC.,) No. S01-2257
9 et al.,)
10 Defendants.)

11

12 Baltimore, Maryland

13 Wednesday, February 5, 2003
14

15 DEPOSITION OF: NANCY STAIR
16

17 The video deposition of NANCY STAIR was
18 convened on Wednesday, February 5, 2003, commencing
19 at 10:03 a.m., at the offices of Whiteford, Taylor &
20 Preston, 7 St. Paul Street, Baltimore, Maryland,
21 before Karen Hinnenkamp, Registered Merit Reporter
22 and Notary Public.

 BRYNTESON REPORTING, INC. (703) 768-8122

1 Q Have you remained CEO continuously since
2 1994?

3 A Yes.

4 Q And in trying to run a business, do you
5 take a fairly active role in trying to run that
6 business?

7 A Yes.

8 Q You try to be involved with what's going
9 on in the plant, is that right?

10 A Which plant?

11 Q The Up-To-Date factory.

12 MS. PHELAN: Mr. Simon, I think it's
13 clear that --

14 THE WITNESS: I didn't know it was a
15 factory.

16 MS. PHELAN: -- there were two different
17 plants. Are you referring to a specific time period
18 when you are questioning Ms. Stair?

19 BY MR. SIMON:

20 Q Were you involved in trying to run the
21 business from the period of time that the plant was
22 located on Frederick Avenue?

1 A Yes.

2 Q Did you go to work every day?

3 A Yes.

4 Q Have you been involved in trying to run
5 the business, actively involved in trying to run the
6 business since the plant moved to DeSoto Avenue?

7 A Yes.

8 Q And as a general matter do you go to work
9 every day?

10 A Yes.

11 Q When you first started in 1994 who did
12 you supervise as CEO?

13 A I don't understand.

14 Q Were there other supervisors working at
15 the plant in 1994?

16 A No.

17 Q Were there any other managers working at
18 the plant in 1994?

19 A No.

20 Q Was there anyone to help you manage the
21 operation of Up-To-Date Laundry in 1994?

22 A Brad Minetree.

1 Q What was his title at that time?

2 A President.

3 Q Did Brad Minetree help to manage
4 Up-To-Date Laundry in 1994?

5 A Yes.

6 Q So was he a manager at that time?

7 A Yes.

8 Q And has he remained in the position of
9 president since 1994?

10 A Yes.

11 Q And he has been involved in running the
12 company on a day-to-day basis since 1994 to present,
13 is that correct?

14 A Yes.

15 Q Now in your duties as CEO from 1994,
16 during the period that the plant was located on
17 Frederick Avenue, were you involved in human
18 resources issues for employees?

19 A I can't say that we had any.

20 Q You can't say that you had any human
21 resources issues?

22 A Correct.

1 Q Were you involved in setting wages?

2 A No.

3 Q From 1994 to about March '99 you were not
4 involved in setting wages for employees who worked
5 at Up-To-Date Laundry.

6 A Correct.

7 Q Who set wages during that period of time?

8 A When we started, we hired them for what
9 everyone else was getting paid, and as minimum wage
10 was raised, we raised the employees.

11 Q Who set wages?

12 A The government.

13 Q Who at Up-To-Date Laundry set wages
14 during the --

15 A We followed the laws of the government.

16 Q Okay. Let me try to get this question
17 out. From 1994 to 1999 who was responsible for
18 setting, for determining what wage rates should be
19 for employees at Up-To-Date Laundry?

20 A Brad.

21 Q Now during this period of time, '94 to
22 '99, were there any other managers or officers at

1 performance?

2 A No.

3 Q Do you have any reason to doubt his
4 credibility?

5 A No.

6 Q How do you refer to blacks, people who
7 are of black color, as a general matter?

8 A Colored people or blacks or African
9 Americans.

10 Q Do you ever refer to blacks as niggers?

11 A Yes.

12 Q Do you ever refer to blacks as niggers at
13 Up-To-Date Laundry?

14 A No.

15 Q Do you ever refer to your employees at
16 Up-To-Date Laundry who are black as niggers?

17 A No.

18 Q When have you referred to blacks as
19 niggers?

20 A West Virginia.

21 Q So when you're in West Virginia you refer
22 to blacks as niggers?

1 A When I lived there.

2 Q So you lived there until roughly 1994, is
3 that fair to say?

4 A Yes.

5 Q Were you born in West Virginia?

6 A No.

7 Q What period of time did you live in West
8 Virginia?

9 A 1964 to 1993.

10 Q And in 1993 did you move to Maryland?

11 A '94 I did.

12 Q After you left West Virginia in '93 where
13 did you move?

14 A 39 Tanglewood Road.

15 Q Where is that?

16 A My father's house.

17 Q What state?

18 A Maryland.

19 Q Okay. So when you were in West Virginia
20 from 1964 to 1993 you would refer to blacks as
21 niggers?

22 A It wasn't an everyday word. It was

1 A I think so.

2 Q But blacks have their own language,
3 right?

4 A Yes.

5 Q Can you describe what you mean by their
6 own language?

7 A They use several words that we do not
8 use.

9 Q Describe those words, please.

10 A Hey man. That's one.

11 Q Can you list any other words?

12 A Not off the top of my head.

13 Q Well, take as much time as you need.

14 A I can't remember.

15 Q Sitting here today can you list or
16 identify any other word that blacks use that you
17 believe comprise their own language?

18 A No.

19 Q So do you really believe that blacks have
20 their own language still?

21 A Yes.

22 Q And do white people have their own

1 A I gave her an honest answer.

2 Q And then what did she twist?

3 A She wrote up every charge that I called
4 them niggers, and that's a lie.

5 Q Did you tell Carol Uhler-Ford that the
6 company paid blacks, black workers less than
7 Hispanic workers because you believed that Latinos
8 are better workers?

9 A Off the record I told her something like
10 that.

11 Q Did you tell her that Hispanics deserve
12 better pay?

13 A Not in the deposition, no.

14 Q Did you tell her off the record?

15 A Off the record.

16 Q Did you tell Carol Uhler-Ford that
17 African Americans don't want to do any work?

18 A Not in the deposition.

19 Q Did you tell her off the record?

20 A As a general statement.

21 Q You made that general statement blacks
22 don't want to do any work, is that fair to say?

1 Q Pardon me?

2 A I don't recall that.

3 Q Do you recall employees raising any
4 issues involving discrimination or harassment during
5 the course of that organizing drive?

6 A Not during.

7 Q I would like to show you what is going to
8 be marked as Exhibit 38.

9 (Stair Exhibit Number 38 was marked for
10 identification.)

11 BY MR. SIMON:

12 Q Exhibit 38 is a one-page document that
13 has back-to-back printing on it. It is entitled An
14 Open Letter to Our Latino Brothers and Sisters at
15 Up-To-Date. Are you familiar with this document,
16 Ms. Stair?

17 A Yes, I've seen it.

18 Q And in fact you saw this at about the
19 time it was distributed to the company, right?

20 A I saw it when it was posted on the board.

21 Q Who posted it on the board?

22 A Someone that didn't like the union.

1 Q These black employees stated in the first
2 paragraph of this letter that they wanted better pay
3 and working conditions, right? Do you see that?

4 A Union had them do that.

5 Q And that's what these black employees
6 stated that they were interested in was getting
7 better pay, right?

8 A That's what the union told them.

9 Q How do you know the union told them that?

10 A The union told them everything.

11 Q Do you believe that these black employees
12 were capable of making up their own minds about
13 issues such as better pay?

14 A No.

15 Q You don't think black employees were
16 capable of doing that, right?

17 A These people.

18 Q So these people here couldn't make that
19 decision on their own, right?

20 A If they had, they would have come to us.

21 Q Do you see in here in the third paragraph
22 these employees complained about the crude and

1 abusive remarks made to Up-To-Date workers and they
2 say they should cease?

3 A It's the standard union thing.

4 Q And you see that all verbal and physical
5 sexual harassment must end? Do you see these
6 workers raised concerns about that?

7 A It's a standard union sentence.

8 Q But in fact you knew about this letter at
9 the time and you knew that black employees were
10 raising these concerns about better pay and
11 harassment at the time they wrote this, right?

12 A Yes.

13 Q And don't you see in here that these
14 employees who signed this letter said in the second
15 paragraph that they want you to believe that we
16 don't do our jobs and don't deserve any better than
17 what we have? Do you see that, Ms. Stair? In the
18 second paragraph?

19 A They don't deserve any better than what
20 we have?

21 Q Right.

22 A I don't understand that.

1 A Yes.

2 Q He was terminated in late '99. Do you
3 know why he was terminated?

4 A I think he cussed out his supervisor.

5 Q Prior to his termination you had learned
6 that he had filed a complaint of discrimination
7 against the company, correct?

8 A Yes.

9 Q Did you call him in your office to ask
10 him why he filed a complaint of discrimination
11 against her?

12 A Her?

13 Q Against you, excuse me.

14 A Yes.

15 Q You did do that?

16 A Yes.

17 Q And did you ask Mr. Curtis if he really
18 thought that you, Nancy Stair, were prejudiced, or
19 biased?

20 A He asked me if I was?

21 Q No, if you asked him if --

22 A I don't remember that sentence.

1 time, lent him money. He had come and gone. This
2 was his third hiring. And it was a part-time job
3 because he was a kindergarten teacher. Just to help
4 him out.

5 Q And you were upset that he had filed a
6 complaint of discrimination.

7 A Yes.

8 Q You felt he should not have done that.

9 A Correct.

10 Q And in fact when you called him in to
11 talk about that issue, that was one of the issues
12 that was in your mind, right? His complaint.

13 A Yes.

14 Q You talked about it, right?

15 A Yes.

16 Q And you told him that he should not have
17 filed that complaint, right?

18 A I think I said that.

19 Q Are you close with an employee by the
20 name of Michelle Milligan?

21 A What does close mean?

22 Q Friends?

1 It didn't matter if it was a man, woman, what color,
2 blue, green.

3 Q What was the system for offering overtime
4 as far as you were aware?

5 A Volunteer. Voluntary.

6 Q How did employees apply for that?

7 A They would come to their supervisor and
8 say yes, I'll stay.

9 Q And how were they notified about it?

10 A Supervisor said yes, you can stay.

11 Q Yeah, but how were they notified there
12 would be an opportunity?

13 A It was announced on the intercom or the
14 supervisor went machine to machine and asked if
15 anybody could stay.

16 Q So it varied. Sometimes it was announced
17 on an intercom, is that right?

18 A It might have happened, yes.

19 Q And sometimes supervisors went machine to
20 machine to ask, correct?

21 A Yes.

22 Q Was there a system in place as far as any

1 written documentation about the overtime, how
2 overtime should be assigned?

3 A No. Volunteer basis only.

4 Q Ms. Stair, previously you said you worked
5 in a bank during this deposition. What was your
6 employment history as far as the bank?

7 A I never worked in a bank, sir.

8 Q Okay. Did you say that -- I thought I
9 heard you say that employees who worked in a bank
10 shouldn't discuss their wages.

11 A That's correct.

12 Q Okay. Did you ever work in a bank?

13 A No, I didn't.

14 Q Your employment history in total is
15 Compton and Up-To-Date Laundry, is that fair to say?

16 A Yes.

17 Q No other jobs.

18 A No.

19 Q Why did you raise this issue about the
20 bank?

21 A Because my best girlfriend works there.

22 Q Who is your best girlfriend?